

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE:

JEFFREY MARTIN FELDMILLER and	:	Case No. 15-11089-TPA
SANDRA LEE FELDMILLER,	:	Chapter 13
<i>Debtors.</i>	:	
	:	
RONDA J. WINNECOUR,	:	Related to Doc. No. 74, 77
CHAPTER 13 TRUSTEE,	:	
<i>Movant,</i>	:	
v.	:	
NEWREZ, LLC D/B/A	:	Hearing: Feb. 3, 2021 at 10:00 A.M.
SHELLPOINT MORTGAGE	:	
SERVICING,	:	
<i>Respondent.</i>	:	

ORDER TO SHOW CAUSE

On December 9, 2020, a status conference was held on the *Response to Notice of Final Cure Payment* (“Response”) (Doc. 77). The Chapter 13 Trustee appeared at the hearing and explained that her calculation was, in fact, correct, and the *Response* filed by NewRez, LLC d/b/a Shellpoint Mortgage Servicing (“Lender”), was baseless. As a result, the Court approved the Trustee’s *Notice of Final Cure*. The Court, however, is extremely disappointed that Counsel for the Lender failed to appear at the hearing, especially considering the Court’s Order setting the hearing on the *Response* predicted this exact scenario of the Lender filing a Response without a reasonable basis, in violation of *Fed.R.Bankr.P. 9011*. This *Response* has wasted the Court’s time and further delayed the Debtors’ case from being completed. As a result, the Court cannot allow frivolous filings such as the *Response* to continue and will not allow its scheduling orders to remain ignored. Therefore,

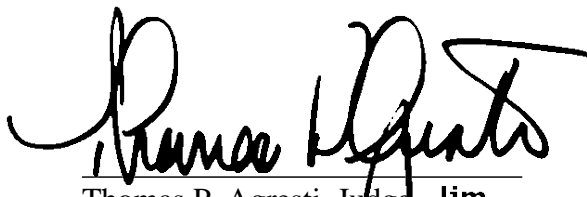
AND NOW, this **14th** day of **December, 2020**, for the reasons stated above and at the December 9th status conference, it is hereby **ORDERED, ADJUDGED**, and **DECREED** that:

- (1) An **Order to Show Cause** is issued against:
 - (a) **Mukta Suri, Authorized Representative of NewRez, LLC d/b/a Shellpoint Mortgage Servicing,**
 - (b) **Jack Navarro, Chief Executive Office, Shellpoint Mortgage Servicing,** and
 - (c) A **Representative of NewRez, LLC d/b/a Shellpoint Mortgage Servicing**, with full knowledge of the filing of the *Response* and authority to bind NewRez, LLC regarding correction of this matter, respond to the Court's inquiries regarding the same, and describe the protective action taken by NewRez, LLC to assure this conduct does not occur in this future,

to **personally appear** at a hearing is scheduled for **February 3, 2021 at 10:00 A.M.** to be held by the **Zoom Video Conference Application** and explain why said parties should not be sanctioned, including but not limited to a monetary sanction and/or denial of its claim, for running afoul of *Fed.R.Bankr.Proc. 9011* by failing to properly investigate its claim before filing a response and failing to attend the December 9th hearing on the *Notice of Final Cure* (Doc. 74) and/or taking the necessary steps to withdraw its *Response* after the Court issued its November 2nd Order outlining the ramifications of failing to properly investigate the *Response* prior to filing or at the very least, after receiving notice of the Court's November 2nd Order.

(2) The Parties must comply with Judge Agresti's *Amended Notice of Temporary Modification of Appearance Procedures*, dated and effective June 10, 2020, which can be found on the Court's website at <https://www.pawb.uscourts.gov/sites/default/files/pdfs/tpa-proc-appearances.pdf>.

(3) **Initializing Zoom Hearing:** To join the Zoom hearing please initiate and use the following link at least 15 minutes prior to the scheduled hearing time: <https://www.zoomgov.com/j/16021303488>, or use the following Meeting ID: 160 2130 3488. For questions regarding the connection contact Judge Agresti's Staff Attorney Courtney Helbling, at 814-464-9781.



Thomas P. Agresti, Judge **ljm**
United States Bankruptcy Court

Case Administrator to serve:

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Ronda Winnecour, Chapter 13 Trustee
Michael Jan Janin, Esq.
Debtor